PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
NA CLIVATA DE LA	: Examiner: Gollamudi S. Kishore, Ph.D.
YASUKI KATO ET AL.	) : Group Art Unit: 1615
Application No.: 10/018,349	)
1 15/010,5 15	;
Filed: December 19, 2001	)
	:
For: METHOD OF INHIBITING	)
LEAKAGE OF DRUG	:
ENCAPSULATED IN LIPOSOMES	) June 3, 2004

Commissioner for Patents P. O. Box 1450 Alexandria, Virginia 22313-1450

00005.001195

## INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

06/09/2004 HVUONG1 00000107 10018349

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## STATEMENT UNDER 37 C.F.R. § 1.97(e)

Each item of information in this information disclosure statement was first cited in an Examiner's Report from a foreign Patent Office in a counterpart foreign application dated February 20, 2004. Applicants' undersigned representative did not receive the documents until May 11, 2004.

In conformity with 37 C.F.R. §1.97(f), a bona fide attempt was made to comply with 1.98, but since a "final" Official Action already issued on March 23, 2004, any submission timely made by May 20, 2004 would still have followed the final Office Action. Accordingly, Applicants respectfully submit there is no extra work required on the part of the Patent Office.

Enclosed is a check in the amount of \$180.00 to cover the fee under 37 C.F.R. §1.17(p).

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be initialled and returned indicating that such information has been considered.

Applicants undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should be directed to our address given below.

Respectfully submitted,

Attorney for Applicants

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FORM PTO 1449 (modified)  O I P S. DEPARTMENT OF COMMERCE  TENT AND TRADEMARK OFFICE			ATTY DOCKET NO. APPLICATION NO. 10/018,3			49				
			APPL	APPLICANT						
LIST OF REFERENCES CITED BY APPLICANT(S) (Used everal sheets if necessary)				<u> </u>	YASUKI KATO ET AL.					
JUN 0 8 2004			FILIN	DECEMBER 9, 2001		GROUP 16	1615			
U.S. PATENT DOCUMENTS  FUNC DATE										
*EXAMINER INITIAL	MA	DOCUMENT NUMBER	DATE		NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
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	FOREIGN PATENT DOCUMENTS									
		DOCUMENT NUMBER	DATE		COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT		
		_								
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OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)										
D. Papahadjopoulos et al., "Optimization of Liposomes as a Carrier System for the Intracellular Delivery of Drugs and Macromolecules", Liposomes and Immunobiology, Elsevier North Holland, Inc., 1980, pgs. 151-164.										
	Alfonso R. Gennaro, editor,"Liposomes", Remington: The Science and Practice of Pharmacy, Mack Publishing Company, 1995, pg. 1674.									
Mack Fubilishing Company, 1999, 1974.										
EXAMINER	•				DATE CONSIDERED					

Sheet  $\underline{1}$  of  $\underline{1}$ 

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.